LCRM – Legal Resources Centre from Moldova

Societatea civil? solicit? adoptarea unei decizii cu privire la candidatura selectat? pentru func?ia de judec?tor la Curtea Constitu?ional?

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Civic Society Organisations are concerned about the lack of response of the Government to the decision of the Commission for selection of the candidates for the function of judge at the Constitutional Court of 27 November 2015, which nominated Veaceslav ZAPOROJAN for the function of judge to the Constitutional Court. Signatory organisations consider that such a delay is unjustified and gives reason to believe that it is done on purpose.

In October 2014, the Government adopted a Regulation on the organisation of the contest for the position of judge at the Constitutional Court appointed by the Government (hereinafter "Regulation") and appointed a Commission to select the candidacies for the function of judge (hereinafter "Commission").

7 persons submitted their files with the Commission for selection of a candidacy for the function of judge at the Constitutional Court. As a result of the written test, only one candidate – Veaceslav ZAPOROJAN – cumulated the necessary score (54 out of minimum 45) to be promoted to the next stage of the contest. As a result of the public interview, on 27 November 2015, the Commission found that Mr. Zaporojan had successfully passed the contest and proposed his candidacy to the Government for appointment as a judge to the Constitutional Court.

Signatory organisations emphasized that such a procedure of selecting a Constitutional Court judge holds for the first time in the history of Moldova. The selection took place according to transparent and public rules and criterion. Both the written test and the public interview were transmitted online.

Nevertheless all the information on the rules and stages of the contest were placed and maintained a short time on the website of the State Chancellery after the completion of the contest. Later, after renovation of the website of the State Chancellery, the information was deleted and is not publicly available anymore.

The signatories to the present appeal request to:

1. The Prime-minister and members of the Cabinet of Ministers – to adopt a decision on the candidacy of Mr. Veaceslav ZAPOROJAN for the position of judge at the Constitutional Court proposed on 27 Novermber 2015 by the Commission of selection of candidates for the function

of judge – either his appointment, or a reasoned refusal to appoint;

2. The Prime-minister and State Chancellery – to ensure the transparency of the process of selection of the candidacy for the position of judge at the Constitutional Court by uploading on the web page of the State Chancellery of all documents adopted by the Commission of selection of candidates for the function of judge.

The Public Appeal can be downloaded here.

Signatory Organisations:

1. Amnesty International Moldova
2. Association for Efficient and Responsible Governance (AGER)
3. Association for Participatory Democracy (ADEPT)
4. Association of Independent Press (API)
5. Centre for Analysis and Prevention of Corruption (CAPC)
6. Human Rights Embassy
7. Institute for Public Policy (IPP)
8. Legal Resources Centre from Moldova (LRCM)
9. „Promo-LEX" Association
10. Transparency International Moldova (TI-Moldova)

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